

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
3 AMELIA L. BIZZARO  
Assistant Federal Public Defender  
4 Wisconsin State Bar No. 1045709  
411 E. Bonneville, Ste. 250  
5 Las Vegas, Nevada 89101  
6 (702) 388-6577  
6 (702) 388-5819 (fax)  
7 amelia\_bizzaro@fd.org  
8 Attorneys for Petitioner Carl Bradley.

9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 CARL BRADLEY,

13 Petitioner,

14 v.

15 ATTORNEY GENERAL OF THE STATE  
OF NEVADA, *et al.*,

16 Respondents.  
17

Case No. 2:13-cv-01196-RFB-GWF

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE  
AMENDED PETITION FOR WRIT OF  
HABEAS CORPUS**

**(First Request)**

18 Petitioner Carl Bradley, by counsel, moves this Court for the entry of an Order  
19 extending the time in which she must file an Amended Petition for Writ of Habeas  
20 Corpus by 14 days from May 15, 2017 to, and including, May 30, 2017. This motion  
21 is based on the attached points and authorities and the record.

22 **POINTS AND AUTHORITIES**

23 1. Bradley was convicted and sentenced on two state cases that were  
24 resolved together with guilty pleas. The sentencing court imposed 60 to 150 months  
25 consecutive to a 110-month federal sentence he is currently serving.

26 2. Bradley filed his *pro se* §2254 petition by mailing it from Lewisburg  
Federal Prison on July 4, 2013. Bradley's petition had some technical problems, which

1 this Court pointed out. *See* ECF No. 6 (dated May 22, 2014). As instructed, he  
2 corrected them and filed an amended petition. ECF No. 7.

3 3. On June 23, 2014, Bradley filed a motion seeking leave to file an  
4 amended petition. He said he was “trying to ask the Court for permission to add  
5 additional pages to the supporting facts for grounds one through three” in order to  
6 explain his “situation and what happened. One page is not enough room for me to try  
7 to fully explain my situation on the 2254 application.” ECF No. 8 at 1-2. *See also* ECF  
8 No. 8 (the proposed amended petition). The Court granted his request. ECF No. 10.

9 4. The Court screened the petition and found it untimely on its face. It  
10 ordered the state to respond to the petition only as it related to timeliness. ECF No.,  
11 10 at 3.-4.

12 5. Before the state filed its response, however, Bradley filed a motion for  
13 discovery seeking the originally discovery the state had turned over to his attorneys  
14 in his state cases. ECF No. 16. After seeking a short extension, the state filed a motion  
15 to dismiss Bradley’s petition based on timeliness. ECF No. 19.

16 6. Bradley opposed the state’s motion to dismiss, and the state opposed  
17 Bradley’s request for discovery. *See* ECF Nos. 28, 29, 31, 32. In a minute order, this  
18 Court granted Bradley’s discovery request. ECF No. 33. In a separate order, it  
19 appointed the Federal Public Defender to represent Bradley. ECF No. 34.

20 7. Counsel made an appearance and filed a motion to compel discovery and  
21 an amended discovery request. The parties litigated this issue extensively, which  
22 included a hearing on the matter. *See* ECF Nos. 43-59.

23 8. On January 20, 2017, this Court entered an Order detailing the  
24 limitations of discovery and giving Bradley until May 15, 2017 to file an amended  
25 petition. ECF No. 60.  
26

1           9.       Counsel timely served subpoenas and received information in response  
2 from the Clark County District Attorney's Office, the Las Vegas Metropolitan Police  
3 Department, and the Lewisburg Federal Prison, which required the approval of the  
4 U.S. Attorney's Office here in Las Vegas.

5           10.      Counsel has completed her review of Bradley's case and has the majority  
6 of the amended petition drafted. This brief extension is necessary to permit her to  
7 complete the petition. It is necessary in order to effectively and thoroughly represent  
8 Bradley. This motion is not filed for the purposes of delay, but in the interests of  
9 justice, as well as in the interests of Bradley. This is Bradley's first request.

10          11.      On May 15, 2017, counsel exchanged e-mails with Deputy Jeffrey  
11 Connor, who does not object to this request, with the caveat that his lack of objection  
12 is not to be construed as a waiver or concession of any kind.

13          12.      For the reasons above, as well as the record in this case, Bradley  
14 respectfully asks this Court to grant his request for an extension of time and enter  
15 an order requiring the amended petition be filed on or before May 30, 2017.

16          Dated this 15th day of May, 2017.

17                               Respectfully submitted,

18                               RENE L. VALLADARES  
19                               Federal Public Defender

20                               /s/ Amelia L. Bizzaro  
21                               AMELIA L. BIZZARO  
22                               Assistant Federal Public Defender

23                               IT IS SO ORDERED.

24                               

25                               \_\_\_\_\_  
26                               RICHARD F. BOULWARE, II  
United States District Judge

DATED this 22nd day of May, 2017.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: JEFFREY M. CONNER.

Carl Bradley  
No. 43838-048  
USP Florence ADMAX  
U.S. Penitentiary  
PO Box 8500  
Florence, CO 81226

/s/ Jessica Pillsbury  
An Employee of the  
Federal Public Defender